

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jodi Rouviere, et al.,

Plaintiffs,

-against-

Depuy Orthopaedics, Inc. et al.,

Defendants.

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1:18-cv-04814 (AJN) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Following a telephone conference held with the parties on September 11, 2019, and for the reasons stated on the record, it is hereby ORDERED, that:

- (1) Defendant Howmedica Osteonics Corporation's August 15, 2019 letter motion for a conference (ECF No. 73) and Plaintiffs' September 9, 2019 letter motion for a conference (ECF No. 82) are terminated as moot;
- (2) Plaintiffs' August 20, 2019 motion is GRANTED in part and DENIED in part:
 - a. With respect to Plaintiff's request for an Order of entry of a Protocol to Preserve Evidence (the "Protocol"), the parties shall meet and confer as to the terms of the Protocol and no later than September 18, 2019 shall submit the proposed Protocol to the Court for its approval;
 - b. To the extent that the parties are unable to agree on certain terms of the Protocol, no later than September 18, 2019, the parties shall submit a joint letter to the Court, along with the draft Protocol, identifying which terms the

parties have agreed upon and which terms the parties are unable to agree upon;

c. The remaining relief sought by Plaintiffs, including their requests for sanctions, is DENIED;

(3) In addition, no later than September 18, 2019, Andre Rouviere shall move for *Pro Hac Vice* admission before this Court in order to represent his wife, Plaintiff Jodi Rouviere, before this Court; and

(4) The deadline previously set forth in the Court's June 14, 2019 memo endorsement (ECF No. 70) is hereby extended to Monday, October 28, 2019, upon which day the parties shall submit a joint letter advising the Court whether they are interested in proceeding to mediation.

SO ORDERED.

DATED: New York, New York
September 11, 2019



STEWART D. AARON
United States Magistrate Judge